UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VISTA FOOD EXCHANGE, INC.,

                Plaintiff,

      v.

LAWSON FOODS LLC

           Defendants.

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:
:   Docket No.
:   1:17-cv-07454-ALC-SN
:
:
:   Judge Andrew Carter
   Magistrate Judge
:   Sarah Netburn
:

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VISTA FOOD EXCHANGE'S AMENDED NOTICE OF MOTION AND MOTION TO COMPEL LAWSON FOODS, LLC TO PRODUCE DOCUMENTS AND FOR THE ISSUANCE OF AN ORDER TO SHOW CAUSE AGAINST FORTRESS FOODS, LLC, HONG LIN AND ADA LAW AS TO WHY THEY SHOULD NOT BE HELD IN CIVIL CONTEMPT

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure, Rules 34, 37, 45 and Court's inherent powers, upon the accompanying Amended Declaration of Jonathan C. Scott, including all of the exhibits appended thereto, and upon the accompanying Amended Memorandum of Law, and upon all prior proceedings, pleadings, and filings in the above-entitled action, Plaintiff Vista Food Exchange, Inc. will move this Court at the United States Courthouse for the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 219, New York, New York, before the Honorable Sarah Netburn, United States Magistrate Judge for an Order as follows:

1. Compelling Lawson to produce all documentation sufficient to track all pork product from the time it was delivered to Lawson to the time it reached the customer in the People's Republic of China ("PRC") during the period from January 1, 2015 to the present, including without limitation any documentation relating to the internal and

1

external handling, tracking and monitoring of product, as well as the shipment, sale, and export of the product to the PRC; and

2. Compelling Lawson to produce all documentation relating to the sale of all pork product exported to the PRC during the relevant time period that Lawson was required to create, complete or retain under the applicable regulations of the United States Food and Drug Administration; United States Department of Agriculture; Customs and Border Protection (Department of Homeland Security); and Internal Revenue Service; and

3. Compelling Lawson to produce the log-in information including user name and password for the Automated Commercial Environment (ACE) portal account that Lawson used to submit documents/information with the Customs and Border Protection ("CBP"). This includes the log-in credentials for both Lawson and Fortress; and

4. Issue an Order to Show Cause to Fortress Foods, Ada Law, and Hong Lin why they should not be held in contempt and why sanctions should not be imposed against them pursuant to Fed. R. Civ. P. Rule 45(g) for failing to comply with Vista's subpoena; and

5. Determining that Defendant's Production of Documents on January 15, 2019 did not comply with its Obligations under Fed R Civ P. 34 and compelling compliance.

6. Grant Vista all other relief to which it may be entitled, at law or in equity. Grant Vista all other relief to which it may be entitled, at law or in equity.

Dated: February 4, 2019

Dallas, Texas

Respectfully submitted,

JONATHAN C. SCOTT, P.C.
/s/   *Jonathan C. Scott*
JONATHAN C. SCOTT (JS0813)
Attorneys for Plaintiff Vista Food Exchange, Inc.
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Dallas, Texas 75201
(214) 999-2901
attorneyjcscott@gmail.com

CERTIFICATE OF SERVICE

The attached notice, the memorandum, the declaration, and all exhibits was served upon Lawson Foods, LLC and their counsel of record via the Court's electronic filing system on February 4, 2019. In addition, the attached memorandum, the declaration, notice, and all exhibits were mailed as follows:

Via Federal Express Two Day Delivery

Fortress Foods, LLC

C/O Registered Agent for Service of Process:

LegalInc. Corporate Services, Inc.

301 Route 17 North, Suite 800 No. 12

Rutherford, New Jersey 07070

Ada Law

77 Overlook Ave.

Basking Ridge, NJ 07920 (home address)

Hong Lin

C/O Registered Agent for Service of Process:

LegalInc. Corporate Services, Inc.

301 Route 17 North, Suite 800 No. 12

Rutherford, New Jersey 07070

/s/   *Jonathan C. Scott*

JONATHAN C. SCOTT

3